IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABADERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINETH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19629 of 2004

Between:

Mohd Nasir Ali, S/o. MOhd Basarath Ali,
C/o. Shahid Hussain, H.No.22-5-538, Panjesha, Chairminar, Hyderabaderabad.

..... PETITIONER

AND

1. The Commissioner of Police, Hyderabad having Office at Basheerbagh, Hyderabad.
2 The S.H.O., of P.S., Kalepathar, Hyderabad.
3 The S.H.O. of P.S., Fulaknuma, Hyderabad.
4 Shaik Abdus Sami (Aamil)
R/o. Opp. Rahim Function Hall, Minhaj Bakery Lane, Madannapet, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Pass an order, direction or a writ particularly in the nature of writ of Mandamus directing the respondents 1 to 3 to immediately take up investigation on the complaint of the petitioner submitted on 13th October 2004 with regard to the death of deceased Smt. Ayesha Mehanaz and take further action as per law against R-4 and all persons concerned Consequently this Hon'ble Court may be pleased to direct the respondents 1 to 3 to dig the grave of deceased Smt. Ayesha Mehanaz, situated at Syed Ali Chabutra grave yard, Opp. Ghouse Cafe, Syed Ali Chabutra, Hyderabaderabad, remove the dead body and send it for autopsy and pass.

Counsel for the Petitioner: MR.MOHD.MOIN AHMED QUADRI

Counsel for the Respondent Nos.1 to 3: GP FOR HOME

The Court at the admission stage made the following:

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ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

As can be seen from the material on record, the only grievance of the petitioner is that though he lodged a complaint dated 13.10.2004 before the respondents with regard to the alleged death of his sister, the respondents failed to take any action. The material placed before this Court shows that the said complaint was received by the respondents on 13.10.2004 itself.

Having regard to the facts and circumstances of the case, without expressing any opinion on merits, the writ petition is disposed of with a direction to the respondents to consider the complaint lodged by the petitioner on 13.10.2004 and to take necessary action in accordance with law.

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29.10.2004

Note: Issue C.C. by Monday.

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1. The Commissioner of Police, Hyderabad having Office at Basheerbagh, Hyderabad.
2 The S.H.O., of P.S., Kalepathar, Hyderabad.
3 The S.H.O. of P.S., Kalepathar, Hyderabad.
4. Two C.Cs to the G.P. for Home, High Court Buildings, Hyderabad. (OUT).